

Dond

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO. 269 OF 2017

Sanjay Shamrao Salvi

..Applicant

Vs

Mohammed Avesh Abbas Mulla & Anr

..Respondents

Mr. Kedar Patil for applicant.

Mr. B.G. Tangsali for respondent No.1

Mr. A.R. Kapadnis, APP for State.

CORAM : A.S.GADKARI, J.

DATE : 5th APRIL 2018.

P.C.:

1] This is an application for transfer of Criminal Case No.31 of 2015 pending on the file of Judicial Magistrate First Class, Dapoli, District Ratnagiri to the Court of Judicial Magistrate First Class, Uran, District Raigad and the Criminal Case No184 of 2016 pending on the file of Judicial Magistrate First Class, Uran, District Raigad to the Court of Judicial Magistrate First Class, Dapoli, District Ratnagiri

2] Heard the learned Counsel for the applicant and the learned Counsel for the respondent No.1. Perused the record.

3] Mr. Tangsali, the learned Counsel for the respondent No.1 submitted that, by an Order dated 22nd March 2018, the case namely Summary Criminal Cases No.31 of 2015 has been returned to the respondent No.1 for its presentation before the appropriate Court. He submitted that, in view of amendment to Section 142(2) of the Negotiable Instruments Act, the jurisdiction to try the said case would lie before the Court of Judicial Magistrate First Class, Uran, District Raigad and his client will take appropriate steps to present the said complaint within the period of limitation before the said Court.

In view thereof, there is no need to pass separate Order with respect to transfer of the Criminal Case No.31 of 2015 pending on the file of Judicial Magistrate First Class, Dapoli, District Ratnagiri to the Court of Judicial Magistrate First Class, Uran, District-Raigad.

4] The Criminal Case No.184 of 2016 filed by the respondent No.1 is already pending on the file of Judicial Magistrate First Class, Uran, District Raigad for its final adjudication.

5] In view of the above, the grievance of the applicant does not survive and the application is accordingly disposed off.

(A.S.GADKARI, J.)